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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION
10

11 UNITED STATES OF AMERICA,
12
Plaintiff,
13
v.
14 VISHAL DASA,
RAMAKRISHNA REDDY KARRA
15 TUSHAR TAMBE
ANJI REDDY DIRISANALA,
16
Defendants.
17

Case No. 11-CR-742-SBA (KW)

STIPULATION AND ~~[PROPOSED]~~ ORDER
CONTINUING HEARING DATE TO
NOVEMBER 29, 2012 AND EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

Hearing Date: October 25, 2012
Time: 9:30 am

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20 **I. STIPULATION**
21

22 The above-captioned matter is set on October 25, 2012 before this Court for a status
23 hearing. The parties jointly request that the Court continue the matter to November 29, 2012, at
24 9:30 a.m., before the magistrate, and that the Court exclude time under the Speedy Trial Act, 18
25 U.S.C. § 3161, between October 25, 2012 and November 29, 2012, so that the defense can have
26 additional time to review and assess the voluminous discovery in this case.

27 On October 7, 2011, the United States Attorney filed a one-count Information charging
28 defendants with conspiracy to commit visa fraud in violation of 18 U.S.C. §§ 371 and 1546(a).

1 On October 11, 2011, the defendants appeared before the magistrate court, waived Indictment
 2 and were arraigned. Defendants face a maximum sentence of five years imprisonment on this
 3 charge.

4 By way of background, this case is related to a larger investigation involving Tri-Valley
 5 University ("TVU"), which the government has alleged was a sham university that accepted
 6 foreign students and issued legal status for these students without requiring that they attend
 7 classes. *See* Indictment in *United States v. Susan Su*, CR 11-00288-SBA.

8 The four defendants charged in this related case request additional time to review the
 9 discovery that the government has already produced, which includes voluminous files from TVU
 10 computers that the government seized and that the defendants need to review. Additionally, the
 11 defense requested that the government produce additional discovery relating to the broader
 12 investigation in this case, which the government recently produced. Finally, counsel for Anji
 13 Dirisanala is unavailable on October 25, 2012. For these reasons, the parties agree that the case
 14 should be continued until November 29, 2012.

15 The parties stipulate and agree that the ends of justice served by this continuance
 16 outweigh the best interest of the public and the defendants in a speedy trial. The parties further
 17 agree that the failure to grant this continuance would unreasonably deny counsel for defendants
 18 the reasonable time necessary for effective preparation, taking into account the exercise of due
 19 diligence, and deny continuity of counsel. Accordingly, the parties agree that the period of time
 20 from October 25, 2012 until November 29, 2012 should be excluded in accordance with the
 21 provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective
 22 preparation of defense counsel and continuity of counsel, taking into account the exercise of due
 23 diligence.

24 It is so stipulated.

25 Dated: October 17, 2012

By: /s/
 ANGELA HANSEN
 Attorney for Defendant
 VISHAL DASA

28 Dated: October 17, 2012

By: /s/
 GINNY WALIA

Attorney for Defendant
RAMAKRISHNA REDDY KARRA

Dated: October 17, 2012

By: /s/
KENNETH MCGUIRE
Attorney for Defendant
TUSHAR TAMBE

Dated: October 17, 2012

By: /s/
GALIA A. PHILLIPS
Attorney for Defendant
ANJI DIRISANALA

Dated: October 17, 2012

By: /s/
WADE RHYNE
HARTLEY WEST
Assistant United States Attorneys

II. ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby FINDS:

1. Given that this case is related to a larger investigation involving Tri-Valley University and the Indictment in *United States v. Susan Su*, CR 11-00288-SBA, and that the government produced discovery to defendants that includes voluminous computer files from the University that the defense needs to review;

2. Given that a complete review of the discovery is necessary to the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

3. Given that counsel for Anji Dirisanala is unavailable on October 25, 2012 and a continuance is necessary for continuity of counsel;

4. Given that the ends of justice served by this continuance outweigh the best interest of the public and the defendants in a speedy trial;

Based on these findings, IT IS HEREBY ORDERED that the STATUS date of October 25, 2012, scheduled at 9:30 a.m., before Judge Westmore, is vacated and reset for November 29, 2012, at 9:30 a.m. before Judge Ryu. It is FURTHER ORDERED that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from October 25, 2012 until November 29, 2012.

IT IS SO ORDERED.

Dated: 10/23/12


KANDIS WESTMORE
UNITED STATES MAGISTRATE JUDGE